

# UTILITY PATENT APPLICATION TRANSMITTAL

for new nonprovisional applications under 37 CFR 1.53(b)(1)

Attorney Docket No. 200488US0CONT

First Inventor or Application Identifier Junji HAM

Title IMMUNOMODULATOR

Assignee Name AJINOMOTO CO. INC.

Assignee Address No. 15-1, Kyobashi 1-Chome, Chuo-Ku, Tokyo, Japan

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification Total Sheets **64**
3. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets **4**
4. ☒ Oath or Declaration Total Pages **3**
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 16 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
6. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification or Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

- ### ACCOMPANYING APPLICATION PARTS
7. ☒ The prior application is assigned to: Ajinomoto Co., Inc., Reel No. 010242, Frame No. 0712-0714
  8. ☐ Application Data Sheet. See 37 CFR 1.76
  9. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
  10. ☐ English Translation Document (if applicable)
  11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations (15)
  12. ☒ Preliminary Amendment
  13. ☒ White Advance Serial No. Postcard
  14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
  15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27
  16. ☒ Other: **Request for Priority**

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no.: 09/334,647  
Prior application information: Examiner: P. Robinson Group Art Unit: 1653

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. Amend the specification by inserting before the first line the sentence:

- ☒ This application is a ☒ Continuation ☐ Division ☐ Continuation-in-part (CIP)  
of application Serial No. 09/334,647, filed on June 17, 1999, now allowed, which is a Continuation-In-Part of Application Serial No. 09/181,881, filed October 29, 1998, now pending.
- ☐ Which was published in English
- ☐ Which was not published in English
- ☐ This application claims priority of provisional application Serial No. Filed

## 18. CORRESPONDENCE ADDRESS



**22850**

(703) 413-3000  
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Name:	Norman F. Oblon	Registration No.	24,618
Signature:	<i>James J. Kelly</i>	Date:	12/8/02
Name:	James J. Kelly, Ph.D.	Registration No.	41,504

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Junji HAMURO et al.

SERIAL NO: New Application

FILING DATE: Herewith

FOR: IMMUNOMODULATOR

## FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231Jc882 U.S. PTO  
09/731830  
12/08/00

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	4 - 20 =	0	× \$18 =	\$0.00
INDEPENDENT CLAIMS	1 - 3 =	0	× \$80 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			× \$270 =	\$0.00
<input type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$0.00
BASIC FEE				\$710.00
TOTAL OF ABOVE CALCULATIONS				\$710.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$710.00

- ☐ Please charge Deposit Account No. 15-0030 in the amount of \_\_\_\_\_ A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of **\$710.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.Date: 12/8/00Norman F. Oblon  
Registration No. 24,618James J. Kelly, Ph.D.  
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(OSMMN 10 00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Junji HAMURO et al.  
SERIAL NO: NEW APPLICATION  
FILED: HERewith  
FOR: IMMUNOMODULATOR

GAU:  
EXAMINER:



REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- ☒ Full benefit of the filing date of U.S. Application Serial Number 09/334,647, filed June 17, 1999, now allowed, which is a Continuation-in-Part of U.S. Application Serial Number 09/181,881, filed October 29, 1998, now pending, are claimed pursuant to the provisions of 35 U.S.C. §120.
- ☐ Full benefit of the filing date of U.S. Provisional Application Serial Number , filed , is claimed pursuant to the provisions of 35 U.S.C. §119(e).
- ☒ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

COUNTRY	APPLICATION NUMBER	MONTH/DAY/YEAR
JAPAN	09-312727	OCTOBER 29, 1997
JAPAN	10-308300	OCTOBER 29, 1998

Certified copies of the corresponding Convention Application(s)

- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee
- ☒ were filed in prior application Serial No. 09/334,647, filed June 17, 1999, and U.S. Application Serial No. 09/181,881, filed October 29, 1998.
- ☐ were submitted to the International Bureau in PCT Application Number .  
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.
- ☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
  - ☐ are submitted herewith
  - ☐ will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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